

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TROY FRENCH,

Defendant.

**HEARING MINUTES** Sealed: No

Case No.: 19-CR-5

Presiding Judge: C.J. Williams

Deputy Clerk: Jackson O'Brien

Official Court Record: Patrice Murray Contract? No

Contact Information: patrice\_murray@iand.uscourts.gov

Date:	2/4/2020	Start:	12:58 PM	Adjourn:	3:17 PM	Courtroom:	1						
Recesses:	---				Time in Chambers:		---	Telephonic?	No				
Appearances:	Plaintiff:		AUSA Mark Tremmel										
	Defendant:		John Bishop (defendant appears personally)										
	U.S. Probation:		Pat Korth (via phone from Sioux City, Iowa)										
	Interpreter:		---		Language:	---	Certified:	---	Phone:	---			
<b>TYPE OF PROCEEDING:</b>		<b>SENTENCING</b>		Contested?	Yes	Continued from a previous date?			No				
	Objections to PSIR:			82, 87 by Defendant			Ruling:	Sustained (82) Overruled (87)					
	Motions to vary/depart:			Motion for Downward Variance by Defendant			Ruling:	Granted					
	Count(s) dismissed:			Counts 1, 2, 4, and 5 dismissed on the government's motion									
	Sentence (See J & C):			24 months imprisonment									
		Fine:			---			Special assessment:	\$100				
		Supervised Release:			10 years								
		Court's recommendations (if any):			It is recommended that you be designated to a BOP facility in close proximity to your family consistent with your security and custody classification needs.  It is recommended that you participate in the Bureau of Prisons' Sex Offender Management Program.								
		Defendant is	X	Detained		Released	and shall report						
		<b>Witness/Exhibit List is</b>			Defense Exhibits A through K admitted without objection. (Doc. 52, 53, 62). Government Exhibits 1 through 4, 6, 7, and 8 admitted without objection under seal. (Doc. 55, 68).  Defense calls Randy Cole to testify, who was subject to cross-examination and questioning by the Court. (1:18 PM – 2:40 PM).								
		The offering party must, within 3 days after the hearing, file in electronic form any exhibit that was not filed with a motion, resistance, or other filing related to this hearing. Pub. Admin. Order 09-AO-03-P (05/29/09, ¶7).											
	<b>Miscellaneous:</b>	<p>Defendant objected to the \$5,000 special assessment imposed at PSR Paragraph 82. The government agreed that defendant is indigent. The Court waived this additional special assessment.</p> <p>The Court granted the government's motion to reduce defendant's offense level due to timely acceptance of responsibility. The advisory guideline range for sentencing is 97 to 121 months.</p> <p>The Court ordered defendant to pay restitution of \$3,000, with \$1,000 and \$2,000 going to the two victims respectively. No restitution was awarded to a third victim. Interest is waived.</p> <p>The government did not resist a downward variance of some extent.</p> <p>Defendant offered a statement during allocution and was advised of his limited rights to appeal.</p>											